

significant economic impact on a substantial number of small entities. Accordingly, it is not subject to the regulatory analysis or other requirements of 5 U.S.C. 603 and 604.

Executive Order 12291

This document does not meet the criteria for a "major rule" as specified in E.O. 12291. Accordingly, no regulatory impact analysis has been prepared.

Drafting Information

The principal author of this document was Arnold L. Sarasky, Regulations & Disclosure Law Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

List of Subjects in 19 CFR Part 111

Administrative practice and procedures, Brokers, Customs duties and inspection, Imports.

Proposed Amendment

PART 111—CUSTOMS BROKERS

1. The authority citation for Part 111, Customs Regulations (19 CFR Part 111), would continue to read as follows:

Authority: 5 U.S.C. 301, 19 U.S.C. 66, 1202 (Headnote 11), 1624, 1641.

2. It is proposed to amend Part 111 by adding a new § 111.20 to read as follows:

§ 111.20 ABI qualification requirements

Each Broker licensed after September 30, 1988, must establish, within a reasonable time after receiving a license, as determined by the district director, that he is qualified for the operational use of the Automated Broker Interface (ABI) portion of the Automated Commercial System (ACS) and he maintains that qualification. Being qualified means transmitting the entry data elements on imported merchandise to Customs through the interface in accord with ABI performance requirements and implementation procedures following Customs prescribed data element standards, data communications specifications and requisite hardware/software capabilities. However, brokers licensed after September 30, 1988, who work for another broker licensee or who file acceptable entries with Customs by utilizing a private service center, need not be individually ABI qualified.

3. It is proposed to amend § 111.53 by revising the introductory paragraph and adding a new paragraph (g) to read as follows:

§ 111.53 Grounds for suspension or revocation of license or permit or monetary penalty in lieu thereof.

The appropriate Customs official may suspend for a specific period of time, or revoke the license or permit of any broker or assess a monetary penalty in lieu of suspension or revocation, for the following reasons:

* * * * *

(g) The broker was licensed after September 30, 1988, and fails either to—
(1) Become qualified for the operational use of the Automated Broker Interface (ABI) portion of the Customs Automated Commercial System (ACS) within a reasonable time after receiving his license, as determined by the district director, or

(2) Fails to maintain that qualification (see § 111.20).

William von Raab

Commissioner of Customs.

Approved: June 24, 1988.

John P. Simpson,

Acting Assistant Secretary, (Enforcement).

[FR Doc. 88-17001 Filed 7-27-88; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 300

[FRL-3420-8]

Presque Isle Superfund Site; National Priorities List Deletion

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of intent to delete a site from the national priorities list (NPL).

SUMMARY: The Environmental Protection Agency (EPA) announces its intent to delete a site from the National Priorities List (NPL) and requests public comments. The NPL is Appendix B to the National Oil and Hazardous Substances Contingency Plan (NCP), which EPA promulgated pursuant to section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA).

DATE: Comments concerning the site may be submitted on or before August 29, 1988.

ADDRESSES: Comments may be mailed to the Regional Docket. Comprehensive information on the site is maintained and available through the EPA Regional Docket clerk.

The Regional Docket is located at the U.S. EPA Region III Office and is available for viewing by appointment

only from 9:00 a.m. to 4:00 p.m. Monday through Friday, excluding holidays. Requests for copies of the information from the Regional public docket should be directed to the EPA headquarters Docket Office. A local docket is located at the Erie County Library—Presque Isle Branch.

Addresses for the Regional and Local Docket Offices are:

U.S. EPA Region III, 841 Chestnut Street, Philadelphia, PA 19107;

Erie County Library, Presque Isle Branch, 902 W. Erie Place, Erie, PA 16505.

FOR FURTHER INFORMATION CONTACT:

Patricia Tan, SARA Special Site Section, 3HW17, Region III, Environmental Protection Agency, 841 Chestnut Street, Philadelphia, PA 19107.

SUPPLEMENTARY INFORMATION:

I. Introduction

II. NPL Deletion Criteria

III. Deletion Procedures

IV. Basis for Intended Site Deletion

I. Introduction

The Environmental Protection Agency (EPA) announces its intent to delete The Presque Isle Superfund Site from the National Priorities List (NPL), Appendix B of the National Oil and Hazardous Substances Contingency Plan (NCP), and requests comments on this deletion. The EPA identifies sites that appear to present a significant risk to public health, welfare, or the environment and maintains the NPL as the list of those sites. Sites on the NPL may be the subject of Hazardous Substance Response Trust Fund (Fund) financed remedial actions. Any site deleted from the NPL remains eligible for Fund-financed remedial actions in the unlikely event that future conditions at the site warrant such action.

EPA intends to delete The Presque Isle Site from the NPL. The EPA will accept comments on this site for thirty days after publication of this notice in the "Federal Register."

Section II of this notice explains the criteria for deleting sites from the NPL. Section III discusses procedures that EPA is using for this action. Section IV discusses the site and explains how the site meets the deletion criteria.

II. NPL Deletion Criteria

Recent amendments to the NCP establish the criteria the Agency uses to delete sites from the NPL, as published in the "Federal Register" on November 20, 1985 (50 FR 47912). Section 300.66(c)(7) of the NCP provides that sites

* * * may be deleted from or recategorized in the NPL where no further response is appropriate.

In making this determination EPA will consider whether any of the following criteria has been met:

(I) EPA in consultation with the State has determined that responsible or other parties have implemented all appropriate response actions required.

(II) All appropriate Fund-financed response under CERCLA has been implemented and EPA in consultation with the State has determined that no further cleanup by responsible parties is appropriate; or

(III) Based on a remedial investigation, EPA in consultation with the State has determined that the release poses no significant threat to public health or the environment and, therefore, taking of remedial measures is not appropriate.

Before deciding to delete a site, EPA will make a determination that the remedy or decision that no remedy is necessary is protective of public health, welfare, and the environment considering environmental requirements that are applicable or relevant and appropriate at the time of the deletion.

Deletion of the site from the NPL does not preclude eligibility for subsequent Fund-financed actions if future conditions warrant such actions. Section 300.66(c)(8) of the NCP states that Fund-financed actions may be taken at sites that have been deleted from the NPL.

III. Deletion Procedures

Deletion of sites from the NPL does not itself create, alter, or revoke any individual's rights or obligations. The NPL is designed primarily for informational purposes and to assist agency management. As is mentioned in Section II of this notice, § 300.66(c)(8) of the NCP makes clear that deletion of a site from the NPL does not preclude eligibility for future Fund-financed response actions.

EPA will solicit public comment on the proposed deletion of The Presque Isle Site for thirty days. The comments received during the notice and comment period will be evaluated before the final decision to delete is made.

A decision will occur after the Assistant Administrator for Solid Waste and Emergency Response places a notice in the "Federal Register." The NPL will reflect any deletion in the next update. Public notices and copies of the responsiveness summary will be made available to the local residents by the Regional Office.

IV. Basis for Intended Site Deletion

The Presque Isle Site is located on the Presque Isle State Park peninsula and within the City of Erie, Erie County, Pennsylvania. In the early 1970s, the Erie County Health Department noted a seep at the site discharging a noxious, hydrogen sulfide-bearing, black liquid. This discharge resulted in air, soil, and shallow groundwater contamination. The site was proposed for inclusion on the NPL on December 30, 1982, and appeared on the final NPL on September 8, 1983.

Investigation by the Pennsylvania Department of Environmental Resources (PADER) from 1979 to 1982 revealed that the source of the discharge was an unplugged, abandoned natural gas well that intercepted a geologic formation known as the Bass Island Formation. This gas well was buried at the time the discharge was first noticed and was originally described as a "seep". A central issue of the investigations to date has been whether the fluid discharging from the Bass Island Formation is a natural brine or is related to the deep-well injection of wastes by the nearby Hammermill Paper Company.

Hammermill Paper Company operated three underground injection wells between 1964 and 1971 and injected 1.1 billion gallons of neutral sulfite pulping liquor waste into the Bass Island Formation. Based on initial information, PADER felt that there was a reasonable cause-and-effect relationship between Hammermill's injection program and the discharge at the Presque Isle Site.

PADER contacted the U.S. Environmental Protection Agency (EPA) Region III in 1982 for sampling assistance while the plugging of the Beach No. 7 well took place. The site was placed on the NPL in September 1983 because of the potential for similar releases from other improperly plugged oil and gas wells in the surrounding area.

EPA, with the concurrence of the Commonwealth of Pennsylvania, has determined that the discharge at the Presque Isle abandoned natural gas well was an unusual event and that the threat to public health was eliminated when the well was permanently plugged in 1982. Based on current information, no significant contamination is present at the site and, therefore, a no-action alternative has been selected. A no-action selected alternative is considered a completion of the remedial process.

Date: July 21, 1988

Stanley L. Laskowaki,

Acting Regional Administrator.

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 67

[Docket No. FEMA-6930]

Proposed Flood Elevation Determinations; Georgia et al.

AGENCY: Federal Emergency Management Agency.

ACTION: Proposed rule.

SUMMARY: Technical information or comments are solicited on the proposed modified base (10-year) flood elevations listed below for selected locations in the Nation. These base (100-year) flood elevations are the basis for the floodplain management measures that the community is required to either adopt or show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program.

DATES: The period for comment will be ninety (90) days following the second publication of the proposed rule in a newspaper of local circulation in each community.

ADDRESSES: See table below.

FOR FURTHER INFORMATION CONTACT: Mr. John L. Matticks, Chief, Risk Studies Division, Federal Insurance Administration, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2767.

SUPPLEMENTARY INFORMATION: The Federal Emergency Management Agency gives notice of the proposed determinations of modified base (100-year) flood elevations for selected locations in the Nation, in accordance with section 110 of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), 87 Stat. 980, which added section 1363 to the National Flood Insurance Act of 1968 (Title XIII of the Housing and Urban Development Act of 1968 (Pub. L. 90-448)), 42 U.S.C. 4001-4128, and 44 CFR 67.4(a).

These elevations, together with the floodplain management measures required by § 60.3 of the program regulations, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements on its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed modified elevations will also be used to calculate the appropriate flood insurance premium rates for new